



SECTION 2:

ZONING

- Zoning Types and Procedures
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- Conditional Use Permit (CUP) Application
- Conditional Use Permit (CUP) Telecommunication Towers & Antennas Application



ZONING TYPES AND PROCEDURES

The City of Sugar Land regulates land use through zoning, which was adopted soon after the City's incorporation in 1959. Current zoning regulations are included as Chapter 2 of the City's Development Code which was adopted in 1997 and has been amended from time to time since then. A copy of the City's Development Code is available on the City's website at www.sugarlandtx.gov.

Zoning

Zoning is the division of a community into districts, or zones, with different regulations for different districts. Within each district, local governments typically regulate the use of land or buildings, the intensity of that use (regulated by lot size, height limits, and, in some cases, direct regulation of intensity through floor-area ratios or limits on the number of dwelling units per area), and height and bulk, or extent, of that use (regulated both directly and indirectly, through requirements that portions of the lot be maintained for yards or setbacks).¹ The City is divided into thirteen (13) standard districts and multiple customized planned development (PD) districts.

Official Zoning Map

The location and boundaries of the various zoning districts are shown on the official zoning map. The Planning Department is responsible for custody and maintenance of the map, in coordination with the GIS Office. The provisions of an ordinance establishing a district, amending a district classification, amending a district boundary, or granting a conditional use permit (CUP), controls over any conflicting information shown on the official zoning map. Sugar Land's zoning map is available online at www.sugarlandtx.gov/sugarland/gis/index.asp.

Land Use Matrix

The Land Use Matrix defines which uses are permitted in each zoning district. The Land Use Matrix is based on business activities as contained in the 1987 Standard Industrial Classification (SIC) Manual. Some land uses included in the Land Use Matrix are not found in the SIC Manual, and are, where necessary, defined by the Development Code. Land and structures in each zoning district may only be used for the listed uses specified as a permitted use in that district as shown in the Land Use Matrix. Land and structures in each zoning district may not be used for a use that is shown as a prohibited use in that district in the Land Use Matrix. Wherever the Land Use Matrix shows that a use is allowed in a district with a conditional use permit, land and structures in that district may not be devoted to that use unless a conditional use permit for the use has been granted by City Council. A copy of the entire Land Use Matrix or a copy of the portion applicable in the commercial zoning districts is available online at www.sugarlandtx.gov under the Planning homepage.

¹ Eric Damian Kelly and Barbara Becker, *Community Planning: An Introduction to the Comprehensive Plan* (Washington, D.C.: Island Press, 2000), 203.

Rezoning

A rezone involves a change from one official zoning district to another. When a property within the city limits of Sugar Land is rezoned, an ordinance is passed by City Council effecting a change in zoning designation for that property. The Official Zoning District Map is also updated to reflect the zoning change. A recommendation to the Council is given by the Planning and Zoning Commission (P&Z). Council has the authority to approve or deny rezonings. A property owner or the City can initiate rezoning a piece of property. A planned development district (PD) is a type of zoning category with custom regulations. Additional details on planned development district rezonings are contained in Section 3 of this Handbook.

Conditional Use Permit (CUP)

A conditional use permit (CUP) is a zoning permit that is granted to operate a certain type of business in a specific zoning district. The Land Use Matrix identifies which uses require a CUP in each zoning district. A recommendation to the Council is given by the Planning and Zoning Commission; Council has the authority to approve or deny conditional use permits. A CUP must be approved by City Council before a use requiring a CUP can legally operate at the proposed location. The following are the conditional use permit standards required for approval:

1. Conditional uses are not permitted by right, but shall be considered on a case by case basis for the proposed lot(s) or parcel(s). Application approvals are subject to the discretion of the Council.
2. No application will be approved unless the applicant establishes that the use is appropriate at the proposed location by showing the following:
 - a) The proposed use shall be in harmony with the purpose, goals, objectives and standards of the City of Sugar Land's Comprehensive Plan and Future Land Use Plan;
 - b) The proposed use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and
 - c) The proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden

Rezoning and Conditional Use Permit Process

When a rezoning or conditional use permit application is submitted, Staff will review the request and send comments to the applicant on the third Friday after the request has been submitted. However, due to the detail contained in conditional use permit applications, additional review time may be needed. The applicant may be directed to resubmit the corrected materials and additional materials for the Planning and Zoning Commission and City Council, and staff will review them for clearance.

When staff comments have been addressed, the request will be scheduled for a public hearing at a Planning and Zoning Commission meeting. The public hearing typically takes place approximately one month after staff issues have been addressed. The public hearing will be

advertised by the City in the official newspaper of the City at least 15 days prior to the first public hearing. All property owners within 200 feet of the site and homeowners associations within the notification area will be notified by mail, and the public hearing will be published on the City's website. Additionally, a courtesy sign will be placed at the property.

A public hearing will be held by the Planning and Zoning Commission at 6:30 p.m. in the City Council Chambers, unless otherwise noted. P&Z meetings are held on the second Tuesday and fourth Thursday of each month except for November and December, when there is one Tuesday meeting due to the holidays. The purpose of the public hearing is to allow P&Z to conduct a fact finding process. Staff will present the request to the Commission. The Chair will then open the public hearing, and the applicant will have ten minutes to present the request. The Chair will then allow anyone present from the public to speak on the request. The Commission may ask questions to staff and anyone else present at the meeting, but will not vote the same night per the Commission's adopted policies.

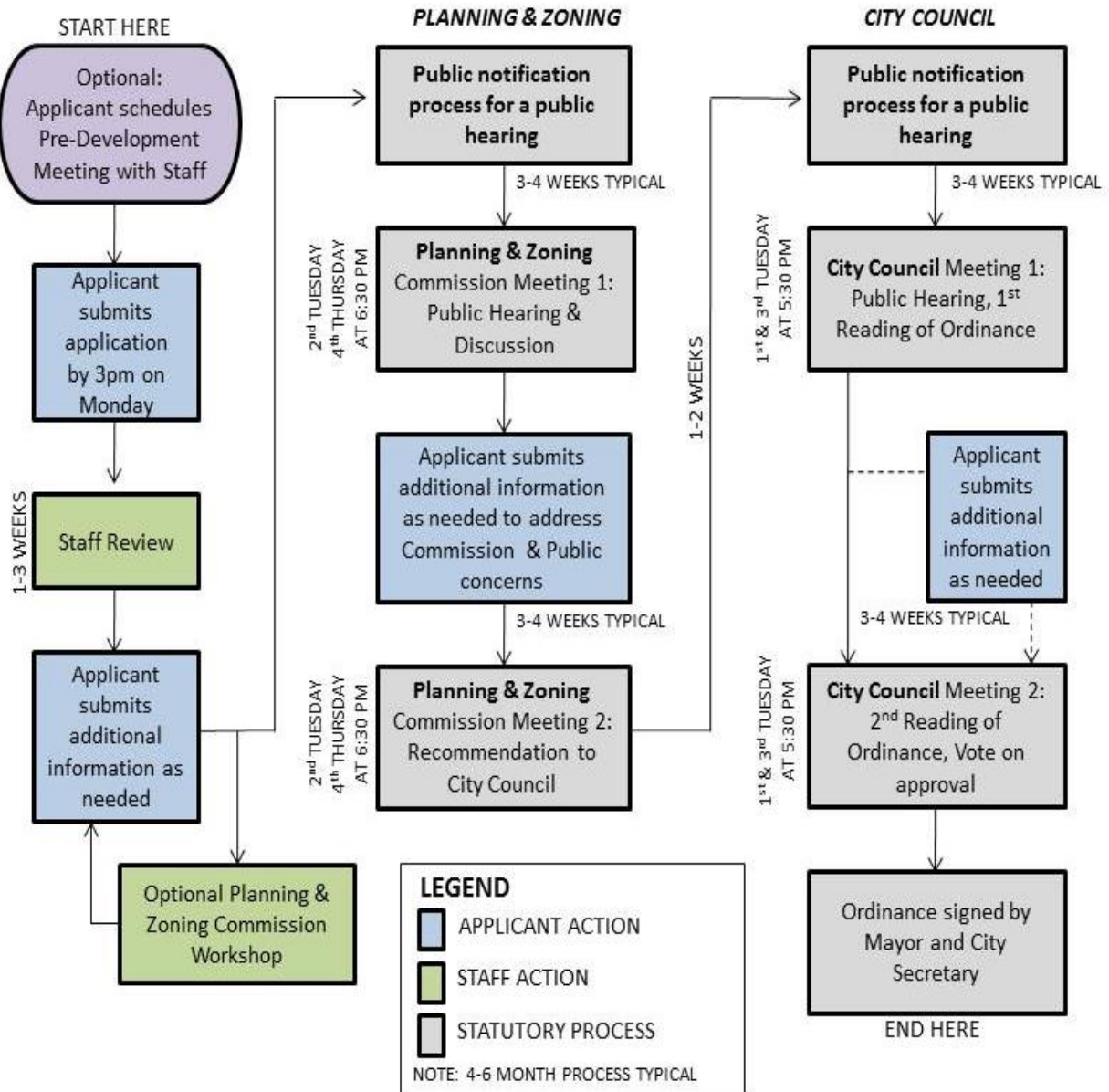
At a subsequent P&Z meeting the request will be presented by staff with a recommendation. P&Z will hold consideration and action and make a recommendation to City Council. Only staff will present at this meeting; however, the Commission may direct questions to both staff and the applicant.

A second public hearing will be scheduled for a regular City Council meeting once the item is ready for Council review. The public hearing typically takes place approximately one month after P&Z makes a recommendation. Meetings are held on the first and third Tuesdays of each month. Again, in accordance with state regulations, property owners will be notified and the notice will be published in a City paper and on the City's website. Council will conduct a public hearing in the same manner as P&Z. At the same meeting, Council will have the first reading of the ordinance and vote, unless the item is tabled. If the ordinance was approved at the first reading, at a subsequent meeting the Council will hear the second reading of the ordinance and vote again. Following the second reading of the ordinance, the Mayor and City Secretary will sign the ordinance and a copy will be sent to the applicant.



FLOW CHART: REZONING & CONDITIONAL USE PERMIT PROCESS

REVIEW AND APPROVAL PROCESS





STANDARD REZONING APPLICATION

FOR OFFICE USE

(Rev. 1/1/17)

Accounting Code: ZC

2017 Fee: \$1,127.75

Fee Required _____

Case No. _____ - _____

**Return Your Submittal Monday from 8:00 am -3:00 pm To Development Planning (Attn: Development Review Coordinator)
Sugar Land City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Phone#: (281) 275-2218**

Please contact Development Planning staff to discuss your proposal prior to submitting a Standard Rezoning application.

Standard Rezoning Submittal Requirements:

Applications submitted without the following items will not be routed for review

- Three (3) copies of the completed application
- Submittal Fee
- Legal description of property:
 - ☐ Metes & bounds description if property is not platted OR
 - ☐ Plat information:
Plat Name: _____
Lot & Block or Reserve: _____
FBCOPR No.: _____
- Three (3) copies of a letter stating the applicant's request
- Three (3) copies of a Traffic Impact Analysis, if applicable (Contact Engineering Dept. at 281-275-2870 to determine necessity)

***ALL FIELDS MUST BE COMPLETED. ***

PROJECT NAME _____

Legal/ Location Description _____

Property Acreage _____ Current Zoning District _____

For Rezoning, Proposed Zoning District _____

CONTACT INFORMATION

Project Representative:

Contact Person _____

Company _____

Address _____

Phone _____ Email _____

This is to certify that the information on this form is COMPLETE, TRUE and CORRECT and the undersigned is authorized to make this application. I understand that this application will expire one year from the date of submittal if the Planning Department has not received a revised submittal.

X _____

Project Representative's Signature

Date

Property Owner (Please Note – the current Property Owner’s Information Must be provided):

Name _____

Address _____

Phone _____ Email _____

Property Owner’s Authorization (May be submitted under separate cover on company letterhead):

*I am the owner of the property for which this application is being made. I authorize
_____ (Project Representative) to submit this application
and to correspond with the City of Sugar Land regarding this application on my behalf.*

X _____
Property Owner’s Signature (Required) Date

Please note: a courtesy notification sign will be placed on the subject property during the public hearing process and will be removed after the public hearing.



**CONDITIONAL USE PERMIT
(CUP) APPLICATION**

FOR OFFICE USE

(Rev. 1/1/17)

Accounting Code: ZC

2017 Fee: \$1,678.75

Fee Required _____

Case No. _____ - _____

**Return Your Submittal Monday from 8:00 am -3:00 pm To Development Planning (Attn: Development Review Coordinator)
Sugar Land City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Phone#: (281) 275-2218**

Please contact Development Planning staff to discuss your proposal prior to submitting a Conditional Use Permit application.

Conditional Use Permit Submittal Requirements:

Applications submitted without the following items will not be routed for review

- Five (5) copies of the completed application
- Submittal Fee
- Legal description of property:
 - ☐ Metes & bounds description if property is not platted OR
 - ☐ Plat information:
Plat Name: _____
Lot & Block or Reserve: _____
FBCOPR No.: _____
- Five (5) copies of a letter stating the applicant's request and addressing issues relating to a CUP including plan of operation, traffic circulation, parking, and other pertinent information
- Five (5) copies of CUP site layout plan and other pertinent information (to be determined during meeting with Development Planning staff)
- PDF copy of CUP site layout plan
- Three (3) copies of a Traffic Impact Analysis, if applicable. At a minimum please submit a TIA worksheet to determine necessity (Contact Engineering Dept. at 281-275-2870)

ALL FIELDS MUST BE COMPLETED.

PROJECT NAME _____

Legal/ Location Description _____

Property Acreage _____ **Current Zoning District** _____

For CUP, Proposed Use _____

CONTACT INFORMATION

Project Representative:

Contact Person _____

Company _____

Address _____

Phone _____ **Email** _____

This is to certify that the information on this form is COMPLETE, TRUE and CORRECT and the undersigned is authorized to make this application. I understand that this application will expire one year from the date of submittal if the Planning Department has not received a revised submittal.

X _____

Project Representative's Signature

Date

Property Owner (Please Note – the current Property Owner’s Information Must be provided):

Name _____

Address _____

Phone _____ Email _____

Property Owner’s Authorization (May be submitted under separate cover on company letterhead):

I am the owner of the property for which this application is being made. I authorize

(Project Representative) to submit this application

and to correspond with the City of Sugar Land regarding this application on my behalf.

X _____
Property Owner’s Signature (Required) _____ Date _____

Please note: a courtesy notification sign will be placed on the subject property during the public hearing process and will be removed after the public hearing.



**CONDITIONAL USE PERMIT
(CUP) TELECOMMUNICATION
TOWERS & ANTENNAS
APPLICATION**

FOR OFFICE USE

(Rev. 1/1/17)

Accounting Code: ZC

2017 Fee: \$1,678.75

Fee Required _____

Case No. _____ - _____

**Return Your Submittal To Development Planning (Attn: Development Review Coordinator)
Sugar Land City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Phone#: (281) 275-2218**

Please contact Development Planning staff to discuss your proposal prior to submitting a Conditional Use Permit application.

Conditional Use Permit Submittal Requirements:

Applications submitted without the following items will not be routed for review

- Two (2) copies of the completed application
- Submittal Fee
- Legal description of property:
 - ☐ Metes & bounds description if property is not platted OR
 - ☐ Plat information:
Plat Name: _____
Lot & Block or Reserve: _____
FBCOPR No.: _____
- Two (2) 24" x 36" copies and two (2) 11" x 17" copies of the CUP layout plan including a vicinity map and north arrow on each copy (Sec. 2-234 (b))
- Two (2) copies of letter stating the applicant's request and addressing issues relating to a Cell Tower CUP, including Chapter 2, Article VII, Sec. 2-234 (tower inventory and co-location and lease opportunities)
- Note- Additional information may be requested by staff for evaluation and determination of the application and potential impact of a proposed Tower.

ALL FIELDS MUST BE COMPLETED.

PROJECT NAME OR ADDRESS _____

Legal/ Location Description _____

Current Zoning District (Must be B-2, M-1, or M-2 to apply for a CUP) _____

Proposed Use and Tower Height _____

CONTACT INFORMATION

Project Representative:

Contact Person _____

Company _____

Address _____

Phone _____ Email _____

This is to certify that the information on this form is COMPLETE, TRUE and CORRECT and the undersigned is authorized to make this application. I understand that this application will expire one year from the date of submittal if the Planning Department has not received a revised submittal.

X _____
Project Representative's Signature Date

Property Owner (Please Note – the current Property Owner’s Information Must be provided):

Name _____

Address _____

Phone _____ Email _____

Property Owner’s Authorization (May be submitted under separate cover on company letterhead):

I am the owner of the property for which this application is being made. I authorize

(Project Representative) to submit this application

and to correspond with the City of Sugar Land regarding this application on my behalf.

X _____

Property Owner’s Signature (Required)

_____ Date

Please note: a courtesy notification sign will be placed on the subject property during the public hearing process and will be removed after the public hearing.